

If you need assistance completing this application (general inquiries only) please contact Susan Walker, 974-2202; 505 Barton Springs Road, 2<sup>nd</sup> Floor (One Texas Center).

CASE # C15-2013-0128  
ROW # 11048239  
TP-040404-02-11

CITY OF AUSTIN  
APPLICATION TO BOARD OF ADJUSTMENT  
GENERAL VARIANCE/PARKING VARIANCE

*Amended*  
WARNING: Filing of this appeal stops all affected construction activity.

PLEASE: APPLICATION MUST BE TYPED WITH ALL REQUESTED INFORMATION COMPLETED.

STREET ADDRESS: 903 Herndon Lane, Austin, TX 78704

LEGAL DESCRIPTION: Subdivision – Oak Ridge Heights Section 2

Lot(s) West 50.55' of 5 Block H Outlot \_\_\_\_\_ Division \_\_\_\_\_

I/We Arash Saeedi on behalf of myself/ourselves as authorized agent for

N/A affirm that on December 9, 2013,

hereby apply for a hearing before the Board of Adjustment for consideration to:

(check appropriate items below)

    ERECT ☒ ATTACH     COMPLETE ☒ REMODEL     MAINTAIN

Create an addition to the existing structure and remodel the interior, bringing the house up to code and in a manner which is consistent with the neighborhood with the following variances:

- (1) Reduced lot size
- (2) Maintain existing rear setback (currently at 4'-6")

in a SF-3 district.

NOTE: The Board must determine the existence of, sufficiency of and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional support documents.

(zoning district)

**VARIANCE FINDINGS: I contend that my entitlement to the requested variance is based on the following findings (see page 5 of application for explanation of findings):**

**REASONABLE USE:**

1. The zoning regulations applicable to the property do not allow for a reasonable use because:

SF-3 zoning requires a 5,750 sq foot lot to apply for a building permit and the existing lot size is 5,000 sq foot. The intention is to remodel and add to the existing structure while meeting all other SF-3 requirements for reasonable use.

**HARDSHIP:**

2. (a) The hardship for which the variance is requested is unique to the property in that:

The parcel which the house sits is less than 5,750 sq feet and therefore does not meet requirements for development for SF-3 zoning.

- (b) The hardship is not general to the area in which the property is located because:

The lot was divided after 1946 and the City of Austin has recognized it and granted permits for construction on the property in its existing configuration since the 1960s. This is one of a few divided lots in the neighborhood.

**AREA CHARACTER:**

3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

The addition and remodel to the structure will leave the house as a single story, single family house while meeting all other requirements for SF-3. The proposed elevation of the house will conform to the traditional/craftsman style of homes found in the neighborhood. There are other homes on divided lots in the Galindo neighborhood.

**PARKING:** (Additional criteria for parking variances only.)

Request for a parking variance requires the Board to make additional findings. The Board may grant a variance to a regulation prescribed Section 479 of Chapter 25-6 with respect to the number of off-street parking spaces or loading facilities required if it makes findings of fact that the following additional circumstances also apply:

1. Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonable require strict or literal interpretation and enforcement of the specific regulation because:

N/A

2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

N/A

3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

N/A

4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

N/A

**NOTE:** The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.

**APPLICANT CERTIFICATE** – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed \_\_\_\_\_ Mail Address 8117 Endeavor Cir

City, State & Zip Austin, Texas, 78726

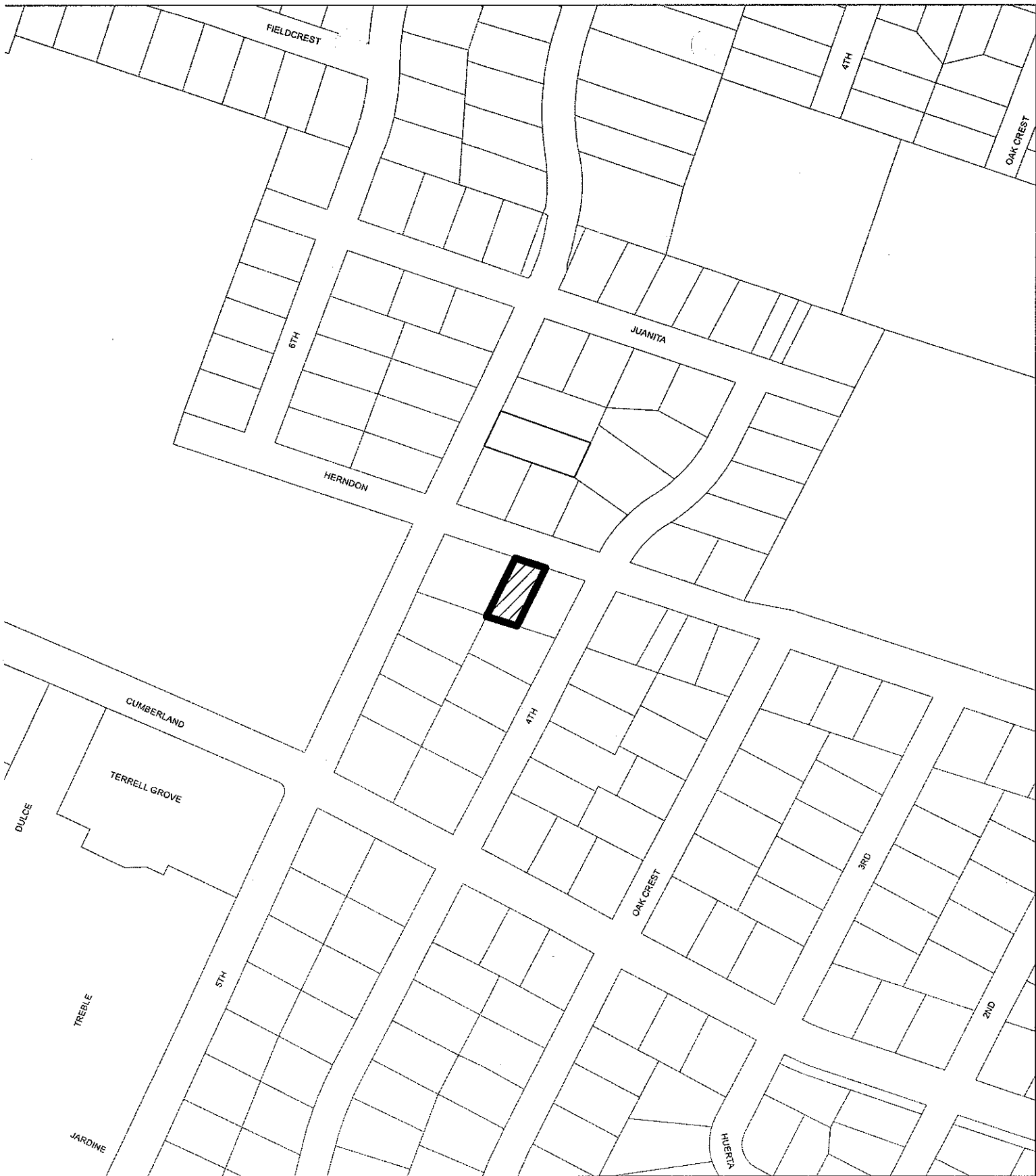
Printed Arash Saeedi Phone 512-576-5655 Date \_\_\_\_\_

**OWNERS CERTIFICATE** – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed \_\_\_\_\_ Mail Address 8117 Endeavor Cir

City, State & Zip Austin, Texas, 78726

Printed Arash Saeedi Phone 512-576-5655 Date \_\_\_\_\_

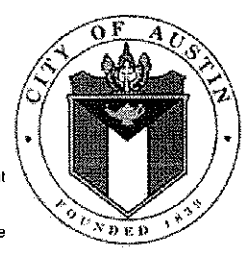


SUBJECT TRACT



ZONING BOUNDARY

CASE#: C15-2013-0128  
LOCATION: 903 HERNDON LANE



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

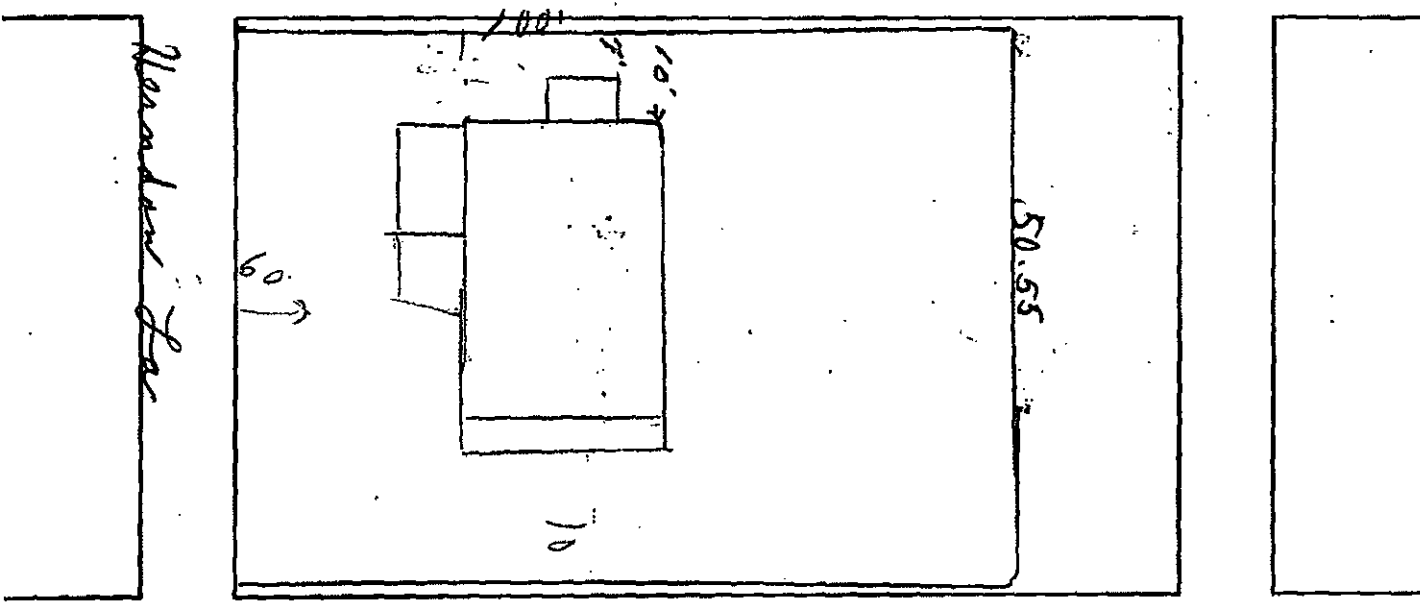
This product has been produced by the Planning and Development Review Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

LOT: <b>No. 50.55x100 of Lot 5</b>			BLOCK <b>H</b>		SUB. <b>Debridge Hts #2</b>			
FIRE ZONE <b>3</b>			USE DIST: <b>A-1</b>		OCCUPANCY: <b>Add to Rear Porch &amp; Staircase</b>			
<b>4-18-67</b>	LAYOUT		FRAMING		<b>4-26-67</b>	FINAL		ROOF OVERHANG
<b>11-15-74</b>	PRINC. BLDG.	ACC. BLDG.	PRINC. BLDG.	ACC. BLDG.	<b>11-15-74</b> <b>OK</b>	PRINC. BLDG.	ACC. BLDG.	PRINC. BLDG. <b>12</b>
FOUNDATION	<b>S</b>		FLOOR JOIST SIZE & O.C.		NECESSARY BLDG. CONN.	<input checked="" type="checkbox"/>		ACC. BLDG.
FR. SETBACK	<b>60'</b>		CEILING JOIST SIZE & O.C.	<b>2x6 16</b>	ROOM VENTILATION	<input checked="" type="checkbox"/>		PAVED PARKING
TOTAL & MIN. SIDE YD.	<b>20'</b> <b>10'</b>		STUD SIZE & O.C.	<b>2x4 36"</b>	STAIRS REQ. & NO.			
SIDE STREET YARD			MASONRY WALL		ATTIC FIRE STOPS REQ.			

OWNER: **FIDEN P.O. Aguilar** CONTRACTOR: **owner**  
**Dayton Co.**

**5'x14' PORCH** **4x15 + 10x10 = 202 DS**

**PAT 11-15-74 JG. 4-17-67**



INSPECTOR **ED** **Ed**

SF-3

2509

992

SF-3

900

2601

903

901

SF-3

2605

2604

2607

2606

2605

SF-3

2607

903 Herndon

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         ERECT ☒ ATTACH          COMPLETE ☒ REMODEL          MAINTAIN

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5750 → 5,000 #1

in a SF-3 district.  
(zoning district)

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**APPLICANT CERTIFICATE** – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed  Mail Address 8117 Endeavor Cir

City, State & Zip Austin, Texas, 78726

Printed Arash Saeedi Phone 512-576-5655 Date 10/21/2013

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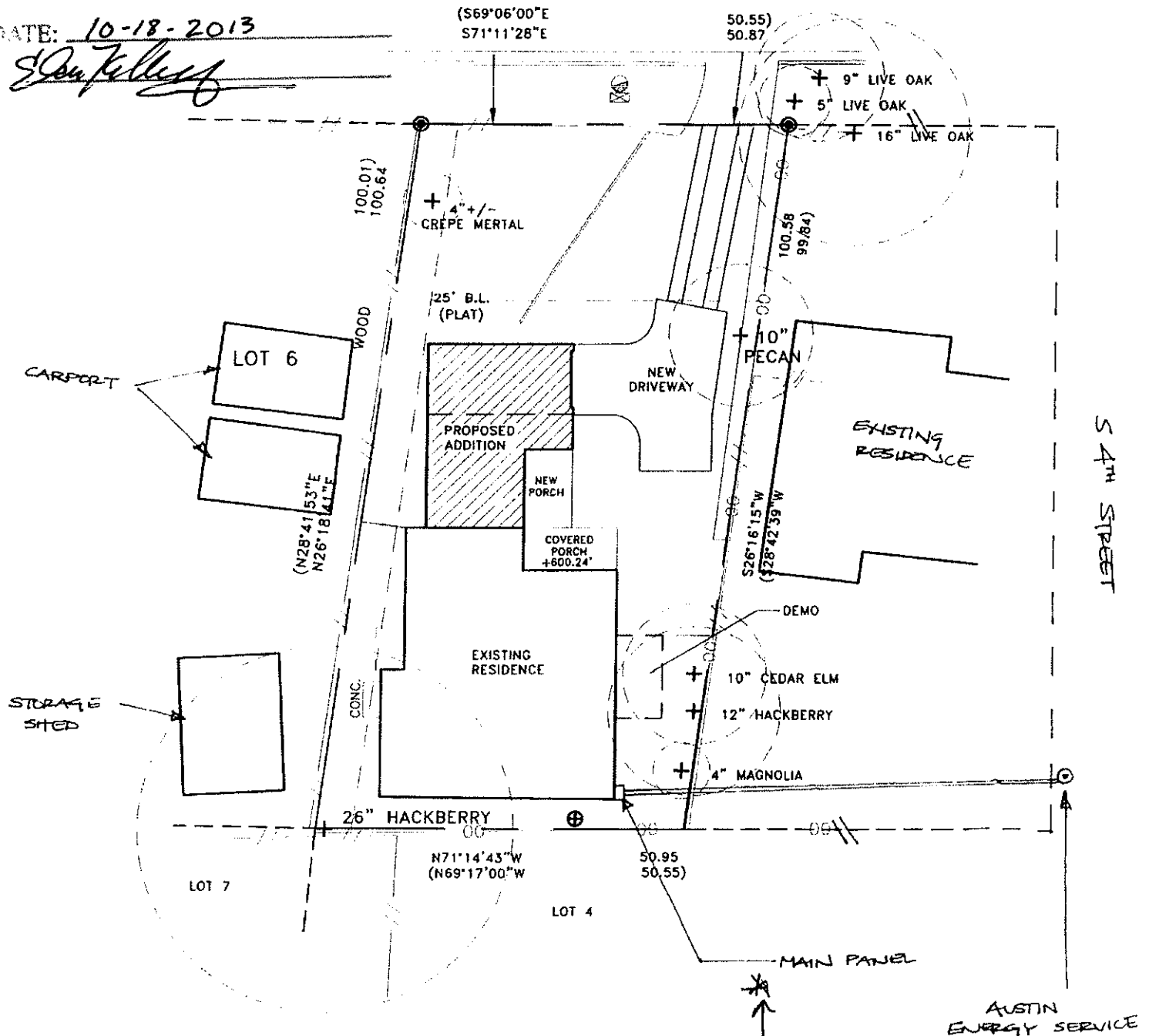
Printed Arash Saeedi Phone 512-576-5655 Date 10/21/2013


APPROVED BY  
AUSTIN ENERGY  
FOR BOA

HERNDON LANE

DATE: 10-18-2013

*[Signature]*



 **SITE PLAN**  
1"=20'-0"

Addition Remodel  
903 Herndon  
Austin, TX

IF THIS  
NEEDS TO BE  
MOVED, @ THE  
TIME OF  
CONSTRUCTION  
- DO CALL OUR  
DISTRIBUTION  
CONSTRUCTION  
LEADER -  
JAN WHILHITE  
@ 512-505-7604

AUSTIN  
ENERGY SERVICE



**City of Austin  
Watershed Protection and Development Review Department  
Land Status Determination  
1995 Rule Platting Exception**

**June 20, 2008**

**File Number: C8I-2008-0202**

**Address: 903 HERNDON LN**

**Tax Parcel I.D. # 0404040211**

**Tax Map Date: 12/03/2003**

The Watershed Protections & Development Review has determined that this parcel, as described in the attached description and map, **IS EXCEPTED FROM THE REQUIREMENT TO PLAT** in accordance with the Land Development Code, Section 25-4-2(C), and is eligible to receive utility service.

The parcel of land consists of five acres or less, and is described as being **the West 50.55 feet of Lot 5, Block H in the Oak Ridge Heights Subdivision Section 2** in the current deed, recorded on **Aug 08, 2007**, in **Document #2007148616**, Travis County Deed Records. This parcel existed in its current configuration on January 1, 1995, as evidenced by a deed recorded on **Sep 28, 1960**, in **Volume 2089, Page 461**, Travis County Deed Records. The parcel was lawfully receiving utility service, as defined in Section 212.012 of the Texas Local Government Code, on January 1, 1995, as evidenced by **water** service on **Feb 10, 1958**. The parcel meets the requirements of the Land Development Code for roadway frontage and is located on an existing street.

**Additional Notes/Conditions:**

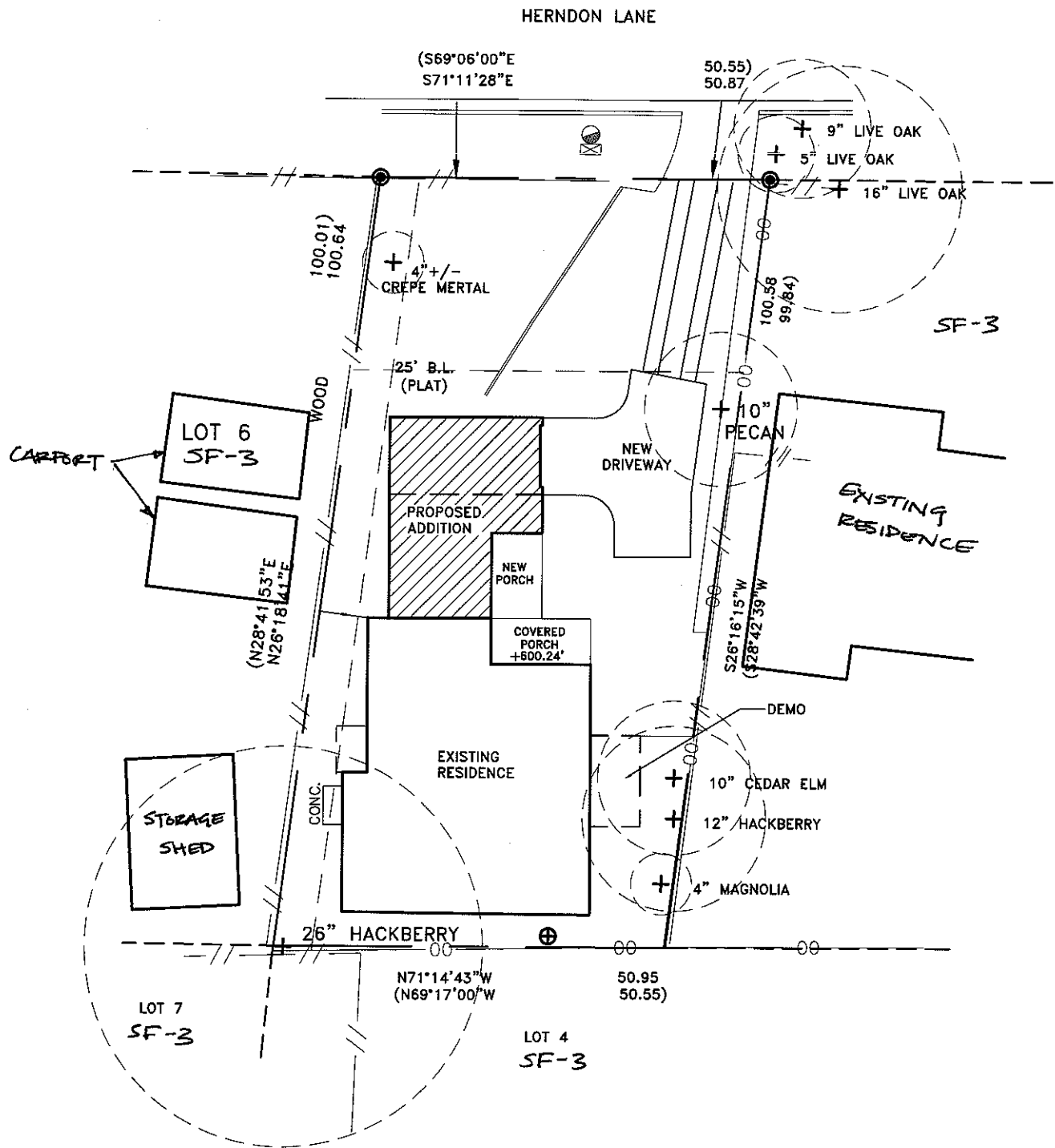
**NONE**

This determination of the status of the property is based on the application of Chapter 212, Municipal Regulation of Subdivisions and Property Development, Texas Local Government Code; and the City of Austin Land Development Code, Chapter 25-4, Subdivision. Recognition hereby does not imply approval of any other portion of the City Code or any other regulation.

**By:**

A handwritten signature in black ink, appearing to read "Mike Marshall".

**Mike Marshall, Representative of the Director  
Watershed Protection and Development Review Department**



 **SITE PLAN**  
1"=20'-0"

Addition Remodel  
903 Herndon  
Austin, TX

TAX CERTIFICATE  
Bruce Elfant  
Travis County Tax Assessor-Collector  
P.O. Box 1748  
Austin, Texas 78767  
(512) 854-9473

NO 2135885

ACCOUNT NUMBER: 04-0404-0211-0000

PROPERTY OWNER:

PINNACLE HOUSING LLC  
3907 LAGUNA VISTA CV  
AUSTIN, TX 78746-3712

PROPERTY DESCRIPTION:

W 50.55FT OF LOT 5 BLK H OAK RIDGE  
HEIGHTS SEC 2

ACRES .1129 MIN% .000000000000 TYPE

SITUS INFORMATION: 903 HERNDON LN

This is to certify that after a careful check of tax records of this office, the following taxes, delinquent taxes, penalties and interests are due on the described property of the following tax unit(s):

YEAR	ENTITY	TOTAL
2013	AUSTIN ISD	2,930.62
	CITY OF AUSTIN (TRAV)	1,186.17
	TRAVIS COUNTY	1,167.06
	TRAVIS CENTRAL HEALTH	304.39
	ACC (TRAVIS)	223.93
TOTAL SEQUENCE 0		5,812.17
TOTAL TAX:		5,812.17
UNPAID FEES:		* NONE *
INTEREST ON FEES:		* NONE *
COMMISSION:		* NONE *
TOTAL DUE ==>		5,812.17

ALL TAXES PAID IN FULL PRIOR TO AND INCLUDING THE YEAR 2013 EXCEPT FOR UNPAID YEARS LISTED ABOVE.

The above described property may be subject to special valuation based on its use, and additional rollback taxes may become due. (Section 23.55, State Property Tax Code).

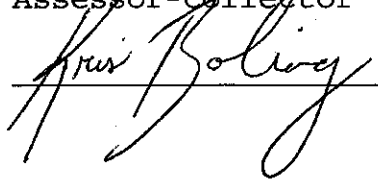
Pursuant to Section 31.08 of the State Property Tax Code, there is a fee of \$10.00 for all Tax Certificates.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS DATE OF 10/10/2013

Fee Paid: \$10.00

Bruce Elfant  
Tax Assessor-Collector

By:



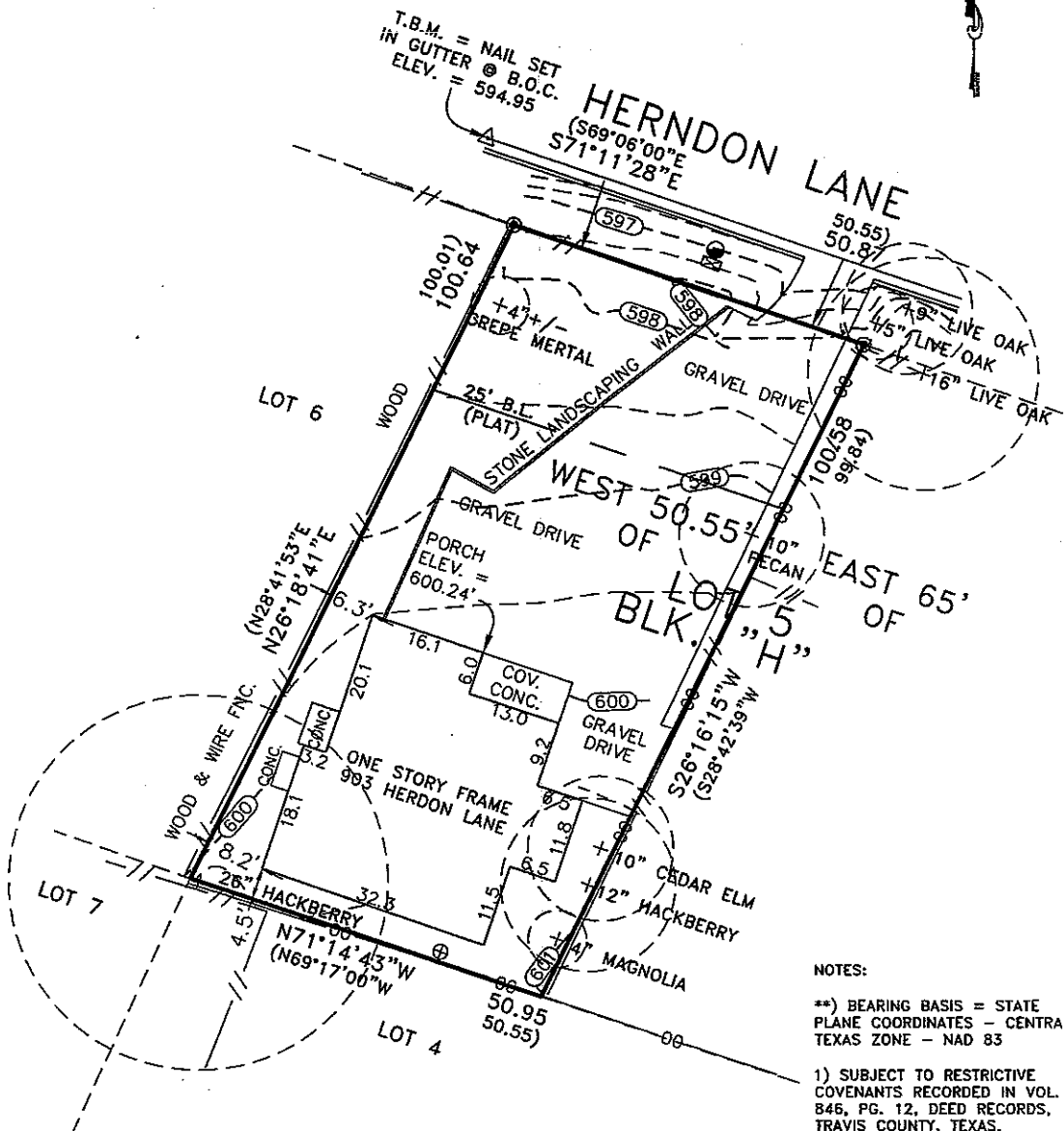
Plat of survey of property at 903 HERNDON LANE  
described as Lot \_\_\_\_\_, Block \_\_\_\_\_, of \_\_\_\_\_

a subdivision of record in Map or Plat Volume/Book/Cabinet/Document Number \_\_\_\_\_ at Page(s)/Slide(s) \_\_\_\_\_  
of the \_\_\_\_\_ County, Texas Plat records.

G.F. Number: 1324479-BOK Dated: AUG. 28, 2013 Reference: ARASH SAEDI  
Certify To: NATIONAL INVESTORS TITLE INSURANCE COMPANY, GREEN TREE SERVICING, LLC  
AND INDEPENDENCE TITLE COMPANY

SCALE: 1" = 1" = 20'

\* TREE AND TOPO SURVEY OF:  
THE WEST 50.55 FEET OF LOT 5, BLOCK H,  
OAK RIDGE HEIGHTS, SECTION 2, A SUBDIVISION  
RECORDED IN VOL. 4, PG. 217, PLAT RECORDS,  
TRAVIS COUNTY, TEXAS.



NOTES:

\*\* BEARING BASIS = STATE  
PLANE COORDINATES - CENTRAL  
TEXAS ZONE - NAD 83

1) SUBJECT TO RESTRICTIVE  
COVENANTS RECORDED IN VOL.  
846, PG. 12, DEED RECORDS,  
TRAVIS COUNTY, TEXAS.

The undersigned does hereby certify that the plat shown represents the results of a survey on the ground under my supervision and is true and correct and that there are no discrepancies, conflicts, shortages in area, boundary line conflict, encroachments, overlapping of improvements, visible utility easements, except as shown and the property has access to and from a dedicated roadway.

The property shown hereon is located in Zone "X" AREAS OUT OF THE 500-YR FLOODPLAIN

as shown on Community Panel Number 48453C 0585 H of the Flood Insurance Rate Map prepared for CITY OF AUSTIN by the Federal Emergency Management Agency. Map Dated: SEPT. 26, 2008

This information is based solely on said map and the surveyor does not assume responsibility as to any information provided and does not represent accuracy or inaccuracy of said map.

This survey is copyright 2013 by Crichton and Associates, Inc., and is being provided solely for the use of the current parties and no license has been created, express or implied, to copy the survey except as is necessary in conjunction with this transaction only.

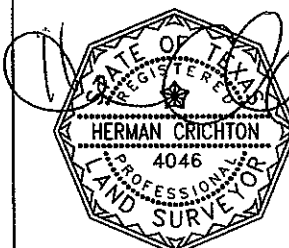
**CRICHTON**  
AND ASSOCIATES INC.  
LAND SURVEYORS

6448 East Highway 290  
Suite B105  
Austin, Texas 78723  
PHONE: (512) 244-3395  
FAX: (512) 244-9508

LEGEND

- 1/2" IRON PIN FOUND
- 1/2" IRON PIN SET
- NAIL FOUND
- POWER POLE
- GUY WIRE
- FIRE HYDRANT
- WATER METER
- WATER VALVE
- GAS METER
- SEWER CLEANOUT
- UTILITY PEDESTAL
- SANITARY SEWER MANHOLE
- UG UTILITY WARNING SIGN
- CONC. PAD WITH ELEC.
- WOOD FENCE
- CHAIN LINK FENCE
- X WIRE FENCE
- E OVERHEAD ELECTRIC LINE
- ( ) RECORD INFORMATION

JOB NUMBER: 13\_281



DATE: SEPT. 11, 2013